

USSN 09/470,360

APPLICANT: Horan, et al. : BEFORE THE PRIMARY  
U.S. Serial No. 09/470,360 : EXAMINER: T. Victor OH  
FILING DATE: December 22, 1999 :  
RE: PROCESS IMPROVEMENT FOR : GROUP ART UNIT: 1621  
CONTINUOUS ETHYL ACETATE :  
PRODUCTION :  
:

#15  
OKD  
12/10/02

Per Fax Transmission to no. 703-308-4556  
Hon. Commissioner of Patents  
Washington, D.C. 20231

Applicant's Docket No. C-7197**RESPONSE**

Dear Sir:

This submission is responsive to the Office Action mailed September 30, 2002.  
Reconsideration of this Application is requested in view of the following Remarks.

**REMARKS****Rejections Under 35 U.S.C. § 103**

Regarding the introductory paragraph for the Section 103 rejections on page 2 of the Office Action, Applicants affirm that the subject matter of the various claims was commonly owned at the time the inventions covered were made.

Paragraph 4 of the Office Action rejects claims 6-11 under 35 U.S.C. §103(a) over U.S. Patent 5,231,222 to Papa et al. in view of U.S. Patent 5,248,427 to Spiske et al. The rejection concedes, among other things, that Papa fails to disclose an azeotrope having 10 wt. % or less water, as recited in the pending claims. The rejection is premised on the conclusion that it would be obvious to form an azeotrope in a distillation column with 10 wt. % or less water. The Office Action points to line 68 of column 6 through line 8 of column 7 as providing direction that various azeotrope concentrations may be achieved by varying the amount of water added to the distillation column.

Of course, the water content of an azeotrope is ultimately governed by the chemistry of the ester produced. As pointed out in Table A of the present application, the water content of an azeotrope varies dramatically with the identity of the ester produced. For ethyl acetate, the azeotrope forms at a water concentration of 8.7 % and for n-butyl

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<b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b>			<b>Docket No.</b> <b>C-7197</b>
Applicant(s): <b>Horan et al.</b>			
<b>Serial No.</b> <b>09/470,360</b>	<b>Filing Date</b> <b>December 22, 1999</b>	<b>Examiner</b> <b>T. Victor OH</b>	<b>Group Art Unit</b> <b>1621</b>
Invention: <b>PROCESS IMPROVEMENT FOR CONTINUOUS ETHYL ACETATE PRODUCTION</b>			
<b>FAX RECEIVED</b> DEC 12 2002 <b>GROUP 1600</b>			
I hereby certify that this <u><b>RESPONSE to Office Action of 09/30/02 and Change of Attmy Address in Appln</b></u> (Identify type of correspondence)			
Is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u><b>703-308-4556</b></u> )			
on <u><b>December //, 2002</b></u> (Date)			
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